Atlanta Journal

Detectives Building Case on Theory that Frank and Negro Can Clear Mystery

Chief Lanford Believes That Testimony of the Superintendent and Negro Night Watchman May Lead to the Arrest of the Person Guilty of the Atrocious Crime That Has Shocked the Whole City—No Further Arrests Expected Soon

MRS. FRANK IN TEARS AT POLICE STATION WHILE HUSBAND IS UNDER EXAMINATION

Frank Was Confronted by Negro Night Watchman—His Attorney, Luther Z. Rosser, Present at Inquiry, Which Was Conducted by Chief Beavers, Chief Lanford and Detectives Behind Closed Doors—Conference Still in Progress at 2

At 1:35 o'clock Tuesday afternoon Chief of Detectives N. A. Lanford, announced that L. M. Frank, superintendent of the National Pencil company's factory, where Mary Phagan was found murdered early Sunday morning, would be detained by the police until after the coroner's inquest. The inquest will be resumed Wednesday morning at 9 o'clock.

Chief Lanford made this statement when he emerged from a conference which had been in progress in his office on the third floor of the police station since shortly after 1 o'clock.

Present at this conference were L. M. Frank, Chief of Police James L. Beavers, Chief Lanford, Luther Z. Rosser, Mr. Frank's attorney; John Black a city detective; Harry Scott, a Pinkerton detective, and W. G. Humphrey, chairman of the city finance committee and former chairman of the police committee.

For an hour or more Newt Lee, the negro night watchman at the factory, had been in the room, when he was returned to his cell at 1:30 o'clock.

THE ONLY WAY TO CLEAR IT UP.

Chief Lanford declared that the police were working on the theory that the murder mystery could be cleared up through evidence which they hoped to obtain from the negro night watchman and from Mr. Frank.

He said that the detectives had been unable to find any credible evidence to the effect that the girl ever had been seen since she entered the factory about noon last Saturday to get her wages.

Chief Lanford returned to the meeting.

Mrs. Frank, with a number of friends, was standing in the hall of headquarters at the foot of the stairs on the floor below that where her husband was being interrogated by the detectives. She was weeping.

MURDERED IN AFTERNOON?

Shortly before 2 o'clock the statement was drawn from Newt Lee, the negro nightwatchman that he made visits of inspection every half hour during Saturday night to the metal room in which Mary Phagan was murdered.

But he says that he was relieved from duty at 4:00 o'clock by Inspector Frank, and told not to return until 6:00 o'clock.

If his statement is true the girl must have been murdered during his absence—that is, between the hours of 4 and 6 o'clock Saturday afternoon.

Detective Starnes discovered a drop of blood near the elevator, which is taken as further evidence that the body of the girl was dragged from the metal room to the elevator shaft.

Chief Lanford seemed to regard the negro's statement that he visited the metal room every half hour during the night, as very important.

The police are now entertaining the theory that the murder was committed during the afternoon, and that Newt Lee probably was absent from the factory at the time that it was done.

NO FURTHER ARRESTS SOON.

Shortly after 2 o'clock Chief Beavers came from the meeting in Chief Lanford's office. He confirmed the statement of Chief Lanford that the police would detain Mr. Frank until after the coroner's inquest. He also said that no further arrests in the case were contemplated in the immediate future, indicating that he thought the detectives were now working on the theory that they hoped would clear up the mystery.

Attorney Luther Z. Rosser left the room. He made light of the evidence against his client, Mr. Frank and declared that the police could not hold him any longer than he, Mr. Rosser, was willing for them to hold him. By this it was believed Mr. Rosser meant he could obtain his client's release on a habeas corpus if he chose to take this procedure.

It was stated by the chief of detectives that Mr. Frank would not be confined to a cell at headquarters. He had employed a supernumerary policeman, said the chief, and would be allowed the freedom of headquarters under charge of that policeman.

Attorney Rosser declared that "all this talk about fear of violence to Mr. Frank is pure bosh."

At the request of the detectives, Mr. Frank copied the notes found by the dead girl's body, in his own handwriting.

Angry protest that emanated occasionally from behind the doors of the conference was not distinguishable as to the words, but the tones indicated unmistakably that the questions being plied by the detectives to Mr. Frank and the negro were arousing the opposition of his attorney.

Mr. Frank, emerging from the conference for a moment, unaccompanied, was as perturbed as a man might be under the circumstances. He seemed to be indignant. A Journal representative questioned him.

"They are asking me about things this negro has said," was Mr. Frank's answer. "And about statements other people have made."

"What has the negro said?" The Journal man asked.

"What he's said all along," returned Mr. Frank. "He hasn't said a thing that's new."

He returned to the conference then.

Mr. Frank returned to police headquarters in company with detectives from the pencil plant Tuesday morning shortly after 11 o'clock. He and the detectives stated that he was not under arrest.

Newt Lee, the negro night watchman who had been awakened at 4 o'clock Tuesday morning by detectives and put on the griddle of questions once more, was taken into the room and confronted Mr. Frank shortly after the latter arrived at headquarters.

Conviction grows that the negro knows more than he has told. His own admission that the elevator could not have been moved Saturday night without his hearing it, is made absolute by the observation of detectives at the plant itself, it is reported. And the theory that the elevator must have been used to carry Mary Phagan's body from the second floor, where other evidence has shown that she was attacked, to the basement, where it was found, is said to have been better established by stains found along the floor leading from the machine room to the elevator shaft.

These appear to be blood soaked into the dirty wood of the floor. One of them was found Tuesday to have fallen upon a nail head, and the nail was pulled by Detectives Starnes and Campbell, the metal not having absorbed whatever was upon it. The analysis of that stain will be practically absolute. Yet nowhere upon the floor of the elevator, or upon the shaft, was a blood stain distinguishable.

L. M. Frank, superintendent of the National Pencil company's factory, where Mary Phagan was found murdered early Sunday morning, was taken to police headquarters again Tuesday morning shortly after 11 o'clock. Detective Harry Scott, of the

Pinkertons, who are employed by Mr. Frank, and Detective John Black, of the city department, went to the factory in an automobile and Mr. Frank accompanied them to headquarters without any protest.

CONFRONTED BY NEGRO.

At 12:30 o'clock, after Frank had undergone an hour and a half of questioning behind closed doors, detectives sent for Newt Lee, the negro night watchman, and confronted him with Frank, the superintendent.

This meeting, like the first interrogation of the factory superintendent, was in the private office of Chief Lanford, from which all but the police, Frank and the negro night watchman were excluded.

The negro, wearing the same stone expression which has remained unchanged since the hour of his arrest,

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entered the office with detectives on both sides, the door shut and the police began the most important effort that they have yet made to force from him the secret of Mary Phagan's murder.

While the meeting between the negro and Mr. Frank was still in progress Attorney Luther Z. Rosser arrived and entered the room. Excited conversation could be heard through the closed door, but just what was said is not known. Mr. Rosser, it is understood, was present as the attorney of Mr. Frank.

As Superintendent Frank left the National Pencil factory in company with detectives, girls who were employed as operatives gathered at the windows and sobbed hysterically.

The working force at the plant is entirely demoralized; and, while an effort is being made to continue the daily routine of business,

the one thought and topic of employees is the murder of Mary Phagan.

The girls employed as operatives are overwrought, and at the time when the superintendent was returned to the police station, they reached a state of hysteria.

In an effort to quiet their fears the factory has posted an order excluding newspaper reporters and visitors.

WAS QUESTIONED MONDAY.

Mr. Frank spent the greater part of Monday morning at the police station answering questions of the police. But about noon he was allowed to return home.

The police considered his questions of such importance that they made a stenographic record of them.

Mr. Frank employed Luther Rosser and Albert Haas as attorneys to represent him at this inquisition by the police.

Detective Chief Lanford announced at 10 o'clock that he will hold both Arthur Mullinax and J. M. Gantt without a preliminary hearing.

The statement was made to him by John R. Phillips, manager of the Forsyth hotel, at 67 1-2 South Forsyth street, that a man who seemed to resemble Gantt, and a girl who answers the description of Mary Phagan, came to his hotel at 11 o'clock Saturday night and asked for a room.

He inquired whether they were married and, upon the man's giving an indefinite answer, he refused to admit them to a room.

BEGAN BEFORE DAYLIGHT.

At 4 o'clock Tuesday morning Newt Lee, the negro, was waked by detectives, and the grilling was resumed which had continued through the day Monday.

In the early dawn detectives began taking turns in questioning the negro. As soon as one would exhaust a series of questions another would begin.

"I don't know," was the negro's only answer.

But now and then he seemed to hesitate, the detectives reported. It appeared that he was on the verge of varying that stolid answer with the information that the police seek. They believe that finally he will break down and tell the whole story.

CLEANED HIS NAILS.

The dirt has been scraped from under his finger nails, and will be examined for traces of blood. Meantime the most unrelenting "third degree" through which the police have ever put a prisoner is continuing.

Leo M. Frank, superintendent of the National Pencil factory, who was questioned during the greater part of Monday morning by the police, has employed Pinkerton detectives to aid the police.

Police are making two random investigations: One is that Mary Phagan was the victim of a white slave plot. The other is that she was taken for an automobile ride before her murder, and was either drugged or made drunk.

They have been informed of a girl, accompanied by a woman and two men, who was seen Saturday night near the National Pencil factory. The girl was sobbing and reluctant, and was being coaxed along by the woman and the two men.

The woman was heard to say:

"Come along dearie. Don't create a scene. You'll attract the cops."

The girl who was crying answered:

"I don't care. I don't care."

The four disappeared down Forsyth street.

ANOTHER IN DISTRESS.

Detectives Black and Rosser secured evidence Monday afternoon from R. B. Pyron a telegraph operator of a young girl, who was crying and in distress, whom he saw in an automobile with three men.

Pyron is a telegraph operator at the signal tower on the Central of Georgia railroad at the Whitehall street crossing. He says that the automobile came from the direction of West End, and stopped on Whitehall street, just after passing the railroad. The girl was sobbing and pleading with the man sitting beside her, and another man standing on the running board was talking to her earnestly and trying to quiet her.

When the men saw Pyron approaching they made off with the car toward the city. Pyron says that the girl was hysterical, and seemed to be either drunk or drugged, but that he would be unable to identify either her or any of the men.

CATCHING AT STRAWS.